

18334 U.S. P.  
06/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING NATIONAL PATENT APPLICATION

Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

WITH SIGNED DECLARATION

NONPROVISIONAL  
NON REISSUE  
NON PCT NAT PHASE

17858 U.S. PTO  
10/603989  
06/26/03

Sir:

Herewith is the PATENT APPLICATION of  
Inventor(s): YONEZAWA, Minoru

Title OPTICAL DISK APPARATUS AND WAITING METHOD  
THEREOF

Atty. Dkt.: P 0304491 T4YKA-02S1180  
M# Client Ref

including:

Date: June 26, 2003

1. Specification: 54 pages (only spec. and claims) 2. ☐ Specification in non-English language  
3. Declaration ☒ Original ☐ Facsimile/Copy ☒ Abstract 1 page(s); 19 numbered claims  
4. ☒ Drawings: 14 sheet(s) ☐ informal; ☒ formal of size: ☒ A4 ☐ 11"  
5. ☐ See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete item 6 or 7). (Prior M# \_\_\_\_\_ SN \_\_\_\_\_ )  
6. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No. / filed \_\_\_\_\_  
No. / filed \_\_\_\_\_  
No. / filed \_\_\_\_\_  
No. PCT / filed \_\_\_\_\_, which

designated the US.

7. ☐ See the attached Preliminary Amendment, which amends the specification to claim benefit of the above listed US application(s)

8. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

9. ☒ Assignee (optional): Kabushiki Kaisha Toshiba

Address 1-1 Shibaura 1-chome, Minato-Ku, Tokyo, Japan

10. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in JAPAN

11. \_\_\_\_\_ (country)

Application No.	Filing Date	Application No.	Filing Date
(1) 2002-190892	June 28, 2002	(2)	
(3)		(4)	
(5)		(6)	
(7)		(8)	
(9)		<input type="checkbox"/> See 3rd page for additional priorities	

12. 1 (No.) Certified copy (copies): ☒ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. / filed on \_\_\_\_\_  
13. Small entity status ☒ is not claimed; ☐ is claimed (Pre-filing confirmation required)  
13(a). ☐ Attached: \_\_\_\_\_ (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)  
13(b). ☐ See NONPUBLICATION REQUEST under Rule 213(a) attached (Pat-258)

14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(4)	
(2)		(5)	
(3)		(6)	

15. ☐ This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16. ☒ Attached: Form PTO-1449, Background Art Information Sheet and listed document.

17. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
18. Basic Filing Fee				\$750/\$375	\$750	101/201
19. Total Effective Claims	19	minus 20 =	*0	x \$18/\$9 =	+ 0	103/203
20. Independent Claims	3	minus 3 =	*0	x \$84/\$42 =	+ 0	102/202
*If answer is zero or less, enter "0"						
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				+ \$280/\$140	+ 0	104/204
22.				<b>TOTAL FILING FEE =</b>	<b>\$750</b>	
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				+ \$130	+ 0	139
24. If "assignment" box 8 is X'd, add recording fee				+ \$40	+ 40	581
25. <input type="checkbox"/> Attached is a Petition under Rule No.				+ \$130	+ 0	122
26.				<b>TOTAL FEE =</b>	<b>\$790</b>	

27. Address communications to the correspondence address associated with our Customer No.



00909

**PLEASE CHARGE  
OUR DEP. ACCT.**

Our Deposit Account No. 03-3975

Our Order No. 008312 0304491

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

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NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments